

SÁNDOR ISTVÁN KARDOS

The Interpretation of Sun Tzu's Principles of Discipline
in Today's Police

A Szun-Ce-i fegyelmi elvek értelmezése napjaink rendőrségén

Abstract

In this study the author examines whether the principles guarding the military order and the internal discipline formulated by the Chinese commander and thinker Sun Tzu in his work Art of War can still be found in the Hungarian police. The author states that Sun Tzu's rules referring to order in the army arching historical times can be found in today's police. The observation of military rules, the commander's strictness and the clear system of penalties are the most important and they are defined by the personality of the commander. The members of the army who are not clear about the norms of order and discipline will not fight successfully, which caused problems in Ancient Times and it is still presented. Sun Tzu's theses on the discipline of military organizations – in contrast with Ancient Times – are supposed to be incorporated into concrete norms, but beside this difference the cause of order and discipline of the ancient army is still definable.

Absztrakt

A tanulmány azt vizsgálja, hogy a rendőrségi normák jogforrásai közé nem tartozó ókori hadtudományi műben (A hadviselés törvényei) a katonai rendre és fegyelemre vonatkozó elvek megtalálhatóak-e a magyar rendőrségen. A szerző megállapítja, hogy Szun-Ce által a katonai szervezetek belső rendje kapcsán megfogalmazott elvek és elképzelések, történelmi „korokat átívelve” jelen vannak a mai magyar rendőrségen. Ezek közül kiemelt jelentőséggel bír a katonai szabályok és törvények betartása, a parancsnok, utasítások egyértelműsége, valamint a kiszámítható jutalmazási és elmarasztalási rendszer fenntartása, amelyeket aktuális jelenlétét a vezető személyisége, értékrendje határozza meg. A felsoroltak hiánya a fegyveres szerv fegyelmezetlenségét okozta az ókorban, és okozza napjainkban is. A katonai szervezet fegyelemére vonatkozó Szun-Ce-i gondolatok – ellentétben az ókori szabályozással – napjainkban konkrét normába foglalást igényelnek, ez a különbség viszont semmit nem von le az ókori katonai fegyelmi elvek máig ható értelmezhetőségéből.

INTRODUCTION

The system of norms regulating today's Hungarian police is the result of a legal-historical development, or a process of "norm-development" about which we possess wide knowledge. The basics of the rules which regulate the formation and the activity of the policing organs as we know them today – similarly to the military and policing organs of most other European countries - can be traced back to the 18th-19th century. [1] The legal measures – conforming the all-time professional expectations and needs – are in constant change.

In this essay I am trying to examine whether the principles guarding the military order and the internal discipline formulated by the ancient Chinese commander and thinker Sun Tzu in his work *Art of War* [2] – which is provably not a source of law in the process of norm-setting and norm-development for policing – can still be found in the Hungarian police. The aim of this analysis is to see whether there are generic and objective principles or disciplinary expectations that overarch historical periods and are or need to be unquestionably present in the hierarchical military organizations. I would like to find out whether there are any regulatory disciplinary principles that are needed in the armed forces.

PRESENTING THE AUTHOR AND HIS WORK

The work of military science forming the basis of this analysis is the result of the ideas of earlier thinkers. The original author is Sun Wu, a legendary military strategist who was appointed general by the king Helü of Wu (514-496 BC). [3] Sun Tzu continued Wu's work and presented it in his book which became widely known with the title *Art of War*. We know hardly anything about Sun Tzu's life. It is certain that he lived around 544-496 BC; he was a military general and author of works on military science. [4] He summarized his experience in the military profession and processed it to be the first written work in the history of the military.

The time in which Sun Tzu's historical work was born was the age of the Zhou dynasty in ancient China, the birth of which can be dated to around 1050 BC. *Art of War* was created in a period referred to as "the Warring States Period". The power rested on tribal and ethnic bases, and was possessed by the land-owner patriarchal aristocracy. The formation of a unitary state was never the aim of the aristocracy being in the possession of the economic and political power as it could exert its rule only by maintaining the individuality of the states. [3]

The social order defined the warfare of the age as well. The farmers represented the infantry and they owned a various range of weapons. The aristocracy used war chariots and gave orders exclusively to their own soldiers. Fragmentation was an impediment to the formation of a unitary army and resulted in poor and unsuccessful warfare.

Within this military-cultural framework Sun Tzu's axiom that the commander of an army unit is in the possession of unlimited power and authority was both revolutionary and very different from the generally accepted principles of the time. The charioteer aristocracy had

no special power in Sun Tzu's army; they became simple officers in the structure. The omnipotence of the commander meant that he had the right even to oppose the suzerain's orders. The author recognized, beyond the significance of the wartime military measures, the importance and necessity of a moral-disciplinary unity as well. [5] The 13-chapter book not only summarizes all the warfare and military achievements of its age, but it is also a manual for commanding and military management.

Up to the present day the book has been regarded as the best military manual in China. It was written in a period considered to be the birth of traditional Chinese culture, which only adds to its cultural value. It is study material in military training and research institutes and academies of the developed countries. [6] Moreover, it has a renaissance in the non-military sphere as well. Multinational enterprises around the world adopt its ideas to develop business strategies and tactics and embed its spirituality into their everyday activities. Sun Tzu's teachings seem valid even today for the expanding, influence and supremacy seeking businesses and competitors eager for victory, so the original work has branched out into a manual on "business warfare".

THE EVALUATION OF SUN TZU'S PRINCIPLES OF DISCIPLINE

The *Art of War* does not discuss the principles of discipline or handling soldier's bearing as such as there are no individual chapters or even subchapters dealing with the topic. However, the importance of maintaining order and discipline is alluded to at the very beginning of the book, when Sun Tzu enumerates the five factors of war. He thinks that war is the greatest enterprise of a state, among other enterprises; it has to be studied thoroughly, as only that commander can win a battle who has understood the five factors and the seven basic principles that define the circumstances of warfare.

The five factors are the road, the sky, the earth, the commander and the law.

"The road: we have to achieve that the people think the way their master thinks and be willing to die with him and, live with him without knowing fear or doubt.

The sky: haze and light, coldness and heat, days and seasons.

The earth: the distant and the near, the impassable and the passable, the tight and the loose, death and life.

The commander: wisdom, reliance, humanity, courage and strictness.

The law: the military rules and the order, leading on the right way, tending for needs."

[7]

Out of the five factors one is related partially and literally to the artificial environment and figuratively to the notion of norm-obeying (the road), two of them exclusively to the natural environment (the sky and the earth) and two are related to the general moral and disciplinary condition of the army. Given that out of the five defining factors three can be connected to the order and the discipline in the army, we can conclude that in Sun Tzu's set of values and discipline has an outstanding role.

HADTUDOMÁNYI SZEMLE

2014. VII. évfolyam 4. szám

The “road” implies that the commander and the people have to think in the same way, especially in terms of warfare activities and to illustrate the idea, the “road”, is taken as a part of the artificial environment, and it is used as a metaphor. One cannot ignore that “common thinking” is a multi-component notion. One of these components is the discipline and order. The common goals can only be achieved in a military structure if the commander maintains the discipline and the order; otherwise the subordinates will not follow their commander.

Having a closer look to the five components we find that among the necessary characteristics of a commander, only one can be linked to the military virtue (courage), the rest are rather desired inner characteristic features. Among them there is the wisdom and the strictness, which combined – in my view – are indispensable for a commander if the system directed by him is supposed to function in an orderly manner.

I tend to interpret Sun Tzu’s notion of leader wisdom and strictness to refer to the present day police as a need on the commander’s behalf to hold order and discipline. Both order and discipline are nowadays generally formulated and norm governed, and should be achieved, if the commander aspires for professional success. Strictness as we see it today – strictness as norm-obeying in the profession – is indispensable at the police and so is the professionalism or “wisdom” of the commander.

Sun Tzu’s criteria of “reliability” and “humaneness” in handling discipline are by no means negligible. Reliability, as a desired feature of the commander, today is also valued as self-consistency. Consistency is a must both in carrying out the professional duties and in discipline management. Without consistent rules the military, the army cannot be lead and the service activity cannot be brought to success. In all cases – taken into consideration the nature of the individual activity – being humane is a must.

Closely following Sun Tzu’s fifth factor, “law”, which both in ancient times and in the present – along with the laws regulating warfare – includes the rules serving the military order and discipline. In the chapter discussing the law, the notion of order gets a special observation. To conclude, even in ancient times it was unimaginable to have efficient, armed military organizations without a set of rules and without members of the military obeying them and without the commanders having those rules obeyed by the subordinates.

Rules concerning the order and discipline in armed organizations, like the military or any law enforcement agency, have been a must since ancient times to ensure servicemen are able to carry out their professional duties.

In my opinion Sun Tzu placed great emphasis on order and discipline; three out of the five decisive factors of war – more than the half – refer to order, or tangentially, to the necessity of discipline in a military organization.

The seven basic principles of war:

“1. Which commander is in the possession of the right way? 2. Which commander is more talented? 3. Which of them can make use of the sky and the land [the natural environment] for his own purposes? 4. Which of them carries out the laws and rules more efficiently? 5. Which army is stronger? 6. In which army are the officers and the infantry better

HADTUDOMÁNYI SZEMLE

2014. VII. évfolyam 4. szám

trained and more experienced? 7. In which army are the rewards and punishments clearer?” [8]

The importance of the principles – in Sun Tzu’s views – is that through their operation we can see who would win or lose, and that a commander will succeed who knows the principles. My position is that out of the seven principles more than a half, four totally (1,2,4 and 7) can be related to the disciplinary-moral condition of the military organization.

The control of the “right way” – the image to be interpreted in a broader meaning – first and foremost alludes to the way leading to warfare successes, but it also suggests that the good leader is supposed to walk in the right way when he supervises order and discipline among the soldiers under his command. Having in mind the five factors defining war, the compliance with and implementation of law and the order are essential components of military activity.

The present day Hungarian police is unthinkable without its commanders – be they on any level in the structure – knowing and implementing the “right way”, and within that, the “right way” of discipline maintenance. The right way is far better definable nowadays than it was in the ancient Chinese army. In the case of the present day commander it means that he carries out his duties and gets the orders obeyed within a norm-governed professional framework, so the right way is the law-abiding attitude.

In this respect, the commander’s work today is more restricted than it used to be in the ancient era, or could have been, because he takes all his measures based on a written set of rules. We do not know anything about written rules covering the whole of the military activity existing in antiquity. Nevertheless, it is indispensable for the pursuit of commanding to follow the functional rules, whether they are written or based on customary law.

The “talent” and professional-, human aptitude or skill was and has been indispensable for military success. Talent – apart from the concrete battlefield activity – has to refer to the other areas of commanding. It is hard to conceive a military or police commander who is considered successful, to be talented only in his narrowest field of profession, and to be helpless for example, at disciplining his subordinates. Talent in the case of the armed forces is defined by several factors, and one of them, is discipline. The same was true for ancient China as well.

The “best possible” implementation of laws and regulations listed by Sun Tzu in his principles is in itself a disciplinary principle without which none of the military organizations could have survived – although the author did not use the notion of “disciplining” itself. The author does not specify the sanctions used against those who disobey the laws and regulations. It is assumed, however, that in ancient China there was a system of concrete, empirically proven system of penalties. The consistent and well-founded use of disciplining measures was a decisive principle in antiquity and has been one today in the case of military organization.

Present day armed forces and within them the law enforcement organs are unimaginable without well-defined and norm-governed explicit system of disciplining. That is at the base of an objective order and of the practice of discipline. A system of this kind was not

HADTUDOMÁNYI SZEMLE

2014. VII. évfolyam 4. szám

found in Sun Tzu's "model"; however, the "realization" of law and order, as he formulated it, was an important military principle in the historical times for an organized army.

Closely connected to the field of disciplining is the "clear" system of rewards and reprisals. Sun Tzu's definition correlates with the idea that the order of a military organization can be maintained only if the soldiers are aware that deviant behavior entails certain sanctions in return. A fear of punishment – I believe – was a stronger motivating factor in the ancient era than today in making the individual soldier follow the laws than it is in today's military or law enforcement organizations. Today the voluntary inner demand for norm-abiding, the general moral system of values of the organization and the system of values of society have a stronger effect on norm-abiding than the fear of punishment.

Despite the differences described above, in all military organizations, the system of rewards and penalties greatly defines the functioning, the efficiency and ultimately the combat power of the organization. Sun Tzu recognized this circumstance and held it essential.

In the next part I would like to highlight three parts from the *Art of War* where the text makes references to the order and discipline of the army.

1. Evaluating the activity of the marching army Sun Tzu says that if officers always give rewards or always punish, they face trouble. If they punish the soldiers who are not yet loyal to them, the commanders will not be able to take them to war, and if those who are already loyal are left unpunished, then those soldiers will not help in war either.

These old ideas are valid until today. Exclusively that military organization will fight successfully – or, in the police, will perform his duties effectively – which has a clear, final, objective, regulated system of rewards and punishments. In antiquity – as formerly discussed – it was framed by the customary law, and today it is within the restraints of a norm system. The differences between the two formats do not make a change: rules are indispensable.

We can conclude that the violation of the laws and rules is not acceptable within the military organs; nevertheless, the commander is expected to display consistent and responsible authoritative behavior. For thousands of years some things have not changed: neither the excessive rigor of command, nor the excessive leniency – let alone not used a timely manner - is allowed in an armed organization.

2. In the part about terrain shapes Sun Tzu writes that if the commander is not strict enough and not clear enough in teaching the basic principles, the officers and the soldiers will miss the stable rules, the army will be overtaken by disorder and "the military system will go haywire." Later the chapter notes that if a commander cannot recover the order, he will not be able to bring the army to fight.

On the basis of Sun Tzu's cited ideas it has been proven that the army without order and discipline will be unfit for war. It is the duty of the leader – in the antiquity it was the warlord and today we name him commander, to maintain the order and discipline. Without defined, consistent and professionally justified rules, no armed organization could have survived, could have fought or functioned in history. Nor the ancient Chinese warlords had the power – or only limited means were available – to restore their battered reputation.

HADTUDOMÁNYI SZEMLE

2014. VII. évfolyam 4. szám

At any time, the commander himself had to create his own authority by his professional and human deeds.

The commander's authority "cannot be purchased" in any military organization, that is, everyone has to shape it for themselves. The measures taken to maintain the order and discipline are part of the process in which the commander gains the acceptance of his subordinates. The loss of trust is difficult to be repaired even in today's police.

3. When presenting the nine areas, Sun Tzu mentions that the commander is expected to be calm and fair at all times, so as to be able to maintain order.

On the basis of the expectations set out for a commander we can say that even in Sun Tzu's army only a consistent set of demands on behalf of the leader and his behavior that sets an example can be the base the authority that is necessary to maintain order. The reference in the fairness of the leaders is a highlighted element in the commanding values. In the present day military organizations, just like in the ancient ones, a very important and decisive aspect on the road to military success is the commander's professionalism paired up with his fairness that has to go along with a calm nature. These two: professionalism and personality have been at the base of the consistency in the professional work, the consistency in maintaining the moral standards and in discipline. In antique China all that was an unquestionably expected from a leader and has been ever since.

FINDINGS AND CONCLUSIONS

The theoretical and practical theses of Sun Tzu's *Art of War* – and that is true both for the warfare activity and the other functions – are very clear cut, including the principles shaping order and discipline in the military. Though there is no part in the book designated to disciplinary issues, it does possess elements that handle it.

For the author, the army is unimaginable without respect for the law, which is at the base of order and discipline in the army, without which the soldiers cannot be brought to war. In all cases the rules referring to order – whether written or based on customary law – together with the personality of the commander define the disciplinary state of the army. This is the foundation element and an inevitable factor of a military organization, arching historical times. The author emphasizes importance of the commander's strictness, but – in Sun Tzu's formulation – it has to be justly and "wisely" present. Only the commander in the possession of these qualities can bring the army to battles and pursue his professional duties.

The work does not refer to the system of penalties, but Sun Tzu defines it as a key element for the military success. The soldiers who are not clear about the norms of order and discipline will not fight successfully. The commander is in charge of providing the conditions for them and maintaining them. The author's views have proven timeless in that regard.

We can state that already in Sun Tzu's age sustaining order and discipline depended to a great extent on the commander's authority, which each commander has to earn for himself. Similarly, if a leader has lost his authority, the authority necessary to maintain disci-

HADTUDOMÁNYI SZEMLE

2014. VII. évfolyam 4. szám

pline is very difficult to restore. In all military cultures exemplary behavior and justice of the commander is a basic element of authority.

To sum it up, the functioning of any military organization or law enforcement organization is principle-governed, among which Sun Tzu's theses also play a part. In our modern times, Sun Tzu's ideas need to be approached objectively and precisely and they are supposed to be incorporated into concrete norms. The old ideas are still valid and adaptable.

Given the ideas above, one can ask the question whether the present day law enforcement activity can in any way rely on the old military principles to forward the cause of order and discipline. I think that in terms of norm-setting, the *Art of War* should still not be seen as a source of law nor should it be listed as a compulsory reading material for police commanders. I do believe that police commanders should be aware of Sun Tzu's principles on disciplining and maintaining order when they carry out their duties. His principles are valid still today and by knowing them one can have a broader look to the structure of order within the military.

Key words: Sun Tzu, military discipline, police discipline, validity of principles.

Kulcsszavak: Szun-Ce, katonai fegyelem, rendőri fegyelem, elvek érvényessége.

BIBLIOGRAPHY

1. Csízmadia Andor: *A magyar közigazgatás fejlődése a XVIII. századtól a tanácsrendszer létrejöttéig*. Akadémia Kiadó, Budapest: 1976. ISBN 963 05 0713 7
2. Szun-Ce: *A hadviselés törvényei*. Balassi Intézet, Budapest: 1995. ISBN 963 506 0521
3. Hahn István: *A hadművészet ókori klasszikusai*. Zrínyi Katonai Kiadó, Budapest: 1963. ZI 31-k-6366
4. *Hadtudományi Lexikon, A Magyar Honvédség és Magyar Hadtudományi Társaság kiadvány*, Budapest: 1995. II. kötet ISBN 963 04 5228 6
5. *Az egyetemes és magyar hadművészet fejlődése az ókortól napjainkig*. Tankönyv - Zrínyi Katonai Kiadó, Budapest: 1986.
6. Prof. Dr. Kőszegvári Tibor: *A hadtudomány fejlődése az ókortól a 21. századig*, *Felderítő Szemle*, VI. évfolyam 2. szám. Budapest: 2007. 100-130. oldal ISSN: 1588-242 x
7. Szun-Ce: 18-19. oldal
8. Szun-Ce: 19-20. oldal